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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,343	09/16/2003	Su-Hsian Yiu Lu	2450-0541P	2066
2292	7590	09/10/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			FISCHMANN, BRYAN R	
			ART UNIT	PAPER NUMBER
			3618	

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/662,343

Applicant(s)

YIU LU, SU-HSIAN

Examiner

Bryan Fischmann

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION:

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 September 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Acknowledgements***

1. The preliminary amendment filed 9-16-2003 has been entered.

***Specification***

2. The abstract of the disclosure is objected to because of the following:

A) It is believed that wording would be improved if the word "an" were inserted before the word "adjustable" in the first line of the abstract.

3. The disclosure is objected to because of the following:

A) The following recited phrases are unclear, awkwardly worded, and/or grammatically incorrect:

Note: The specification is considered replete with instances of awkward and sometimes unclear wording. Therefore, the Examiner cannot guarantee the following is a comprehensive listing of all awkward and unclear wording. Applicant is advised to review the specification for awkward and unclear wording.

1) It is believed that wording would be improved if the word "an" were inserted after the word "with" on line 4 of page 1.

2) To improve wording on line 22 of page 2, it is believed that the word "people" should be substituted with the word "person".

3) The last line of page 2 and the first line of page 3 are considered to be awkwardly worded.

4) The phrase "adopted a conventional technique" in lines 21 and 22 of page 3 is considered to be awkwardly worded.

See also lines 23 and 24 of page 3.

***Drawings***

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign not mentioned in the description:

142. Correction is required.

***Claim Objections***

5. Claims 1-8 are objected to because of the following:

Note: The claims are considered to be replete with objectionable matter.

Therefore, a comprehensive listing of all objectionable matter cannot be guaranteed.

Applicant is advised to review all claims for unclear matter.

A) It is believed that wording would be improved if the word "an" were inserted before the word "adjustable" in the first line of claim 1.

B) It is believed that wording would be improved if the word "the" were inserted before the word "adjustable" in the first line of claims 2-8.

C) The recitation of "to provide sliding function" on lines 5 and 6 of claim 1 is considered unclear.

D) It is believed that wording would be improved if the word "with" were inserted after the word "mating" on line 9 of claim 1.

***Allowable Subject Matter***

6. Claim 1 would be allowable if rewritten or amended to overcome the claim objection set forth in this Office action.
7. Claims 2-8 would be allowable if rewritten to overcome the claim objection set forth in this Office Action and to include all of the limitations of the base claim and any intervening claims.

***Reasons for Allowance***

8. The following is an Examiner's statement of reasons for allowance of independent claim 1:

Claim 1 recites (as paraphrased – due to claim objections) the limitation of a roller skate with an adjustable longitudinal dimension comprising a truck, a toe cap and a heel cap that have respectively an anchor section and a sliding section located thereunder, the sliding section mating the sliding track; and at least one adjusting bolt located on one side of the truck being depressible to release the anchor section of the toe cap and the heel cap anchored on the truck so that the toe cap and the heel cap are movable on the top section of the truck to adjust the longitudinal dimension of the roller skate. This limitation, in combination with the other limitations of claim 1, were not found in the prior art.

9. The Examiner would like to make an additional comment regarding the reasons for allowance of independent claim 1.

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It is noted that the disclosed invention by Applicant and the disclosed invention of Soo, US 6,612,592 contain similarities. However, it is noted that Soo fails to meet the claim 1 limitation of "a toe cap and a heel cap that have respectively an anchor section (123) and a sliding section (16) located thereunder". This recitation would require, at a minimum, that the toe cap have an anchor section located under the toe section and a sliding section located under the heel cap. While Soo teaches a sliding section under the heel cap, the "anchor section" (421) of Soo is located on the heel section.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Oliveri, Lee, Yang, Li, Gorza, et al, Soo and Huang – teach adjustable skates

11. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Bryan Fischmann whose telephone number is (703) 306-5955. The examiner can normally be reached on Monday through Friday from 8:30 to 5:00.

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If attempts to reach the Examiner by telephone are unsuccessful, the examiner's supervisor, Chris Ellis, can be reached on (703) 308-2560. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 29-7-4  
BRYAN FISCHMAN  
PRIMARY EXAMINER